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FACSIMILE COVER SHEET

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TOTAL NUMBER OF PAGES BEING SENT (INCLUDING COVER SHEET): 13

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DATE: January 3, 2005

TO: Examiner Sung H. Pak
Group Art Unit: 1647

FAX #: 703-872-9306

PHONE #: 571-272-2353

Application No.: 10/082,603
Applicant: YAN et al.
Due Date: None

OUR REF.: 3275.27US01

FROM: Peter S. Dardi, Ph.D.
PHONE #: (612) 349-5746

Attached please find the following document for filing in the above-identified patent application:

- 1) Petition for Revival of Abandoned Application (2 pages)
- 2) Amendment in Response to Office Action dated March 24, 2004 (10 pages)

Sincerely,



Peter S. Dardi, Ph.D.
Reg. No. 39,650

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. 703-872-9306 on the date shown below thereby constituting filing of same.

January 3, 2005
Date


Peter S. Dardi

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
YAN et al.)	
)	
Application No.: 10/082,603)	Office of Petitions
)	Patent and Trademark Office
Filed: February 22, 2002)	
)	
Title: FILTER RESPONSE OPTIMIZATION)	
FOR AN ARRAYED WAVEGUIDE)	
GRATING DEVICE BY ADJUSTING)	
GRATING OPTICAL PATH LENGTH)	
AT NANOMETER SCALE)	

PETITION FOR REVIVAL OF UNINTENTIONALLY ABANDONED APPLICATION

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicant hereby requests revival of the present application for unintentional abandonment. An Office Action mailed March 24, 2004 was not responded to by the attorney of record in the case. The assignee, Lightwave Microsystems, did not intend for this case to go abandoned and did not authorize the attorney handling this file to not respond to the Office Action. The entire delay in filing the required reply from the due date for the reply until the filing of the petition pursuant to 37 C.F.R. 1.137(b) was unintentional. The assignee has transferred responsibility for this file to the undersigned firm, and a new power of attorney form will be filed in the immediate future.

Enclosed herewith is the Amendment and Response to the Office Action of March 24, 2004.

Application No. 10/082,603

Because the assignee did not intend to allow the case to go abandoned at any period of time, it is respectfully submitted that a delay in responding to the Patent and Trademark Office was unintentional.

The Commissioner is authorized to charge Deposit Account No. 16-0631 in the amount of \$750.00 to cover the petition fee. The Commissioner is hereby authorized to charge to Deposit Account No. 16-0631 any underpayment, overpayment or additionally required fees.

Respectfully submitted,



Peter S. Dardi, Ph.D.
Registration No. 39,650

Customer No. 24113
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Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 16-0631.

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January 3, 2005

Date



Peter S. Dardi